

In the Matter of:

Jane Doe

v.

The University of Virginia, et al.

Asher Biemann

August 9, 2024

Casamo | Court Reporting
Videography
Videoconferencing

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1 it, yeah, yeah, yeah, okay. Thanks, Michelle.

2 Yeah, and again, please don't stress. It's okay,
3 we're all human.

4 COURT REPORTER: I'm embarrassed. I'm
5 sorry, but thank you.

6 MS. ABDNOUR: No worries, yeah, it's
7 okay, okay.

8 So whenever you are ready, Michelle, you
9 let me know.

10 COURT REPORTER: I am absolutely ready
11 now. They are on, and I'm good.

12 MS. ABDNOUR: Okay, great.

13 BY MS. ABDNOUR:

14 Q So, Dr. Biemann --

15 MS. ABDNOUR: No worries. Thanks,
16 Michelle.

17 BY MS. ABDNOUR:

18 Q We are going to go back now, and I'm
19 just -- I'm going to state for the record that we
20 are on Exhibit 1, and we are on page 12 of that
21 document. I had previously asked you to read to
22 yourself the three paragraphs that are

1 highlighted at the top of that page.

2 You already did so, and so what I want
3 to go back through with you is, if you can
4 explain for me first, you had made some comments
5 to the investigator about Jane Doe giving you a
6 hug sometimes and that you thought it was a
7 cultural thing.

8 Do you mind explaining again for the
9 record what you meant by this comment?

10 A Yes, what I meant by the comment is that
11 Jane Doe, as a newer student, a student who is
12 very physical, for whom it would be very normal
13 to hug the teachers.

14 And I gave this one example when she
15 came back from I think it was Oxford, she would
16 run up the stairs and give me a hug, and that was
17 just to illustrate that this kind of contact and
18 interaction was not -- was not sexual, did not
19 appear to me to be sexual, and it was very normal
20 behavior.

21 Q And then the second portion of that
22 highlighted section there in the transcript talks

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1 about some comments that you and Professor John Roe
2 exchanged about saying, "Jane Doe loves Asher,"
3 which is in quotes in that paragraph.

4 Can you explain again what exactly you
5 were talking about there and what you were trying
6 to express to the investigator?

7 A So it's an incident of language that
8 took on different meaning to me at the time of
9 the Title IX investigation. When it happened and
10 Professor John Roe would use this language in
11 conversation, it would usually happen in
12 conversation, when he kind of compared other
13 teachers, and he would say that Jane Doe likes
14 him, Professor John Roe, but she loves me, or she
15 loves Asher.

16 So it would come there in this context,
17 which I at the time took as a humorous language
18 to express how much Jane Doe liked me as a
19 person, as a teacher, but which in the course of
20 the investigation had a difference nuance to me
21 and a different flavor.

22 And at that point the word "love" and

1 the kind of repeated iteration of it just sounded
2 much less appropriate.

3 Q And when those comments came up about
4 "Jane Doe loves Asher," or "Jane Doe loves you,"
5 was that in the context of discussing Jane Doe or
6 discussing students in general?

7 A It was in the context of Jane Doe.
8 Actually, it may even have been -- but I don't
9 remember for sure, but in one of those instances
10 Jane Doe may have been present.

11 So it's -- again, you have to
12 understand, knowing Professor John Roe, Professor
13 John Roe is somebody who finds humor in almost
14 everything, and who would make many, many
15 comments that were meant to be funny, and so this
16 did not -- at the time did not stand out as
17 anything but a humorous comment.

18 Q And as far as you recall, did Dr. John Roe
19 ever make any other comments about students
20 loving you?

21 A As far as I recall, he did not make any
22 comments about other students loving me.